

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

20-CR-28-LJV-MJR
DECISION & ORDER

LONNIE ETIENNE GREEN,

Defendant.

1. On September 30, 2020, the defendant, Lonnie Etienne Green, pleaded guilty to Count 1 of the indictment charging a violation of Title 18, United States Code, Section 1542 (false statement in application for passport). Docket Item 21.

2. On September 30, 2020, the Honorable Michael J. Roemer, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 23.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Roemer's Report & Recommendation (docket item 23), the plea agreement (docket item 21), the indictment (docket item 9), a transcript of the digital FTR recording of the plea proceeding (docket item 24), and the applicable law. This Court finds no legal or factual error in Judge Roemer's Report & Recommendation and therefore adopts Judge

Roemer's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Count 1 of the indictment.

IT IS HEREBY ORDERED that this Court adopts Judge Roemer's September 30, 2020 Report & Recommendation, Docket Item 23, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Lonnie Etienne Green, is now adjudged guilty under Title 18, United States Code, Section 1542.

SO ORDERED.

Dated: November 21, 2020
Buffalo, New York

s/ Lawrence J. Vilardo
LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE